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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,237	09/27/2000	William Robert Caid	5382	7863

7590 04/09/2003

Fair, Isaac and Company, Inc.
200 Smith Ranch Road
San Rafael, CA 94903-5551

EXAMINER

HIRL, JOSEPH P

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 04/09/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

Office Action Summary

Application No.

09/672,237

Applicant(s)

CAID ET AL.

Examiner

Joseph P. Hirl

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2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. Claims 1-35 are pending in this application.

Specification

2. Page 1, line 7; delete "No. x,xxx,xxx" and insert –No. 6,173,275--.

Page 2, line 10, delete "in favor of file wrapper continuation" and insert –pursuant to the initiation of--.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-35

From the specification, page 3, lines 21-22: "A context vector is a fixed-length series of component values representative of meaning or content." From the specification, page 4, lines 3-4: "Context vectors may be associated with words, terms, documents, document portions, queries, images, quantitative data,

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people, or any other type of information item.” Specifically, the context vectors are broad based. However, the Claims are focused on the association of the context vectors with only information elements. The specification, page 5, lines 26-27; page 6, lines 1-3: “The present invention is also directed to a method and system for generating context vectors associated with images in an image storage and retrieval database system. In this aspect of the present invention, context vectors are associated with information elements, or features, derived by performing wavelet transformation at a plurality of points on each electronically stored image in the database.” The specification is written around the broad range of all information but the claims are written around the limiting information of images –information elements— with the impression that the claims, using information elements, represent the broad range of information which they do not. It is the Examiner’s opinion that the Applicant has misinterpreted the specification’s meaning of “information elements.”

Claims 1, 27, 33

Fig. 34 indicates that the Context Vectors will be initialized before the Atom or information element.

Claim 18

From the specification, page 38, lines 5-27 does not address $D \ll R$. R is addressed as being large, but nothing is stated about D . The benefit of using an SVD method is to render the process to that of a single pass method.

Claim 21

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First step, if there is a unique association of a context vector with an information element, the concept that there is only a similar orientation in the vector space upsets the premise. Similarity in orientation would accommodate multiple pairing and thereby preclude a unique association.

Claims 23-26, 29

Specification accommodates "Context Vector Generation and Retrieval" without enumerating sets of information elements and processes.

Claims 34, 35

Specification, page 23, lines 9-26; page 24, lines 1-2 set forth the index information retrieval system which is different from that of this claim.

Conclusion

4. Claims 1-35 are rejected.

Correspondence Information

5. Any inquiry concerning this information or related to the subject disclosure should be directed to the Examiner, Joseph P. Hirl, whose telephone number is (703) 305-1668. The Examiner can be reached on Monday – Thursday from 6:00 a.m. to 4:30 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Follansbee can be reached at (703) 305-8498.

Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,
Washington, D. C. 20231;

or faxed to:

(703) 746-7239 (for formal communications intended for entry);

or faxed to:

(703) 746-7240 (for informal or draft communications with notation of "Proposed" or "Draft").

Hand-delivered responses should be brought to:

Receptionist,
Crystal Park II,
2121 Crystal Drive,
Arlington, Virginia.

Joseph P. Hird



March 24, 2003



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100